IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2581 of 2005

Between:

M/s.Sri Jayabheri Art Productions, rep.by its Production Manager Shri N.Muni Sekhar, S/o.N.Gangaiah, GP Residency, Road,
No.10, Banjara Hills, Hyderabad.

..... PETITIONER

AND

1 The Commissioner, Municipal Corporation of Hyderabad.
2 The Director of Sports, Municipal Corporation of Hyderabad.
3 The Commissioner of police, Basheerbagh, Hyderabad.
4 Deputy Commissioner of police, North Zone, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, directing the respondents to grant licence and or permisssion to the petitioner herein for shooting the movie in NTR Stadium, Opposite Indira Park, Hyderabad and we undertake to abide by any condition that might be imposed in this regard.

Counsel for the Petitioner: MR.M.SIVANANDA KUMAR

Counsel for the Respondents 1 and 2: MR.RAMA RAO GHANTA

Counsel for the Respondents 3 and 4: G.P. for Home.

The Court at the admission stage made the following :

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O R D E R:

Heard the learned counsel for the petitioner and Mr. Ganta Ramarao, the learned standing counsel appearing for the respondent-Corporation.

This writ petition is filed aggrieved by the order passed by the 2nd respondent dated 11-02-2005, in which the permission sought by the petitioner to use the N.T.R. Stadium for film shooting was rejected stating that as per the order passed by a Division Bench of this Court in W.A.M.P.No.3347 of 2003 dated 30-10-2003, such permission cannot be granted.

The learned counsel for the petitioner contends that as per the order of the Division Bench of this Court, there was no absolute prohibition

as such and since the film shooting does not disturb the peace of the locality, the 2nd respondent ought to have granted the permission as sought by the petitioner.

I find force in the contention of the learned counsel for the petitioner. Even in W.A.M.P.No.3347 of 2003 this Court held that it was permissible for the appellant therein to use the N.T.R. stadium for recreation and for public purposes, but made it clear that the stadium shall not be used for the purposes of holding Meetings, Dharnas, Picketing etc., using loud speakers with Amplifiers disturbing peace of the locality. Thus, it is always open to the respondents to grant permission for recreation and for public purposes, of course subject to the condition that it will not be disturbing the peace of the locality.

In the circumstances, I am of the view that the 2nd respondent is not justified in rejecting the permission as sought by the petitioner on the ground that such use was not permissible as per the order of the Division Bench of this Court.

Accordingly, the impugned order dated 11-02-2005 is set aside and the writ petition is disposed of with a direction to the 2nd respondent to reconsider the matter and to pass appropriate orders afresh on the representation of the petitioner for permission to use the Stadium for film shooting stipulating necessary conditions to ensure no inconvenience is caused to the local residents and the public. Such order shall be passed within a period of three days from the date of receipt of a copy of this order. No costs.

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(**G. ROHINI, J**)

Date: 18-02-2005

Note:

Issue C.C. by tomorrow.

B/o

ghn

To

1 The Commissioner, Municipal Corporation of Hyderabad.
2 The Director of Sports, Municipal Corporation of Hyderabad.
3 The Commissioner of police, Basheerbagh, Hyderabad.
4 Deputy Commissioner of police, North Zone, Hyderabad.

5 Two CCs to the Government Pleader for Home, High Court of A.P., Hyderabad. (O.U.T.)

6 Two CD copies.